

*Via Electronic Comment Filing System*

November 23, 2011

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: *Notice of Ex Parte Presentation*  
*Securus Petition for Declaratory Ruling, WC Docket No. 09-144*

Dear Marlene H. Dortch:

This letter provides notice of a telephone conversation between the undersigned, Phil Marchesiello, counsel to Millicorp, and Angela Kronenberg, Wireline Legal Advisor to Commissioner Mignon Clyburn, on Monday, November 21, 2011, regarding the above-referenced docketed proceeding. During the conversation, which focused on the status of the Commission's consideration of the Petition for Declaratory Ruling ("Petition") filed by Securus Technologies, Inc. ("Securus"), I described to Ms. Kronenberg an email recently sent by Securus to a customer of Millicorp.

The email, which is attached hereto, informed Millicorp's customer that Securus will not permit inmates incarcerated at facilities served by Securus to call customers of Millicorp and various other specified telecommunications providers, including Google Voice. According to Securus' email, the use of Millicorp's service "can result in penalties to you and your [incarcerated] loved one, which could include permanent loss of account usage, loss of inmate calling privileges, and criminal prosecution." The attached email demonstrates Securus' continued blocking of calls to Millicorp's customers and the customers of various other companies. Securus continues to practice such improper self-help on a daily basis despite the Commission's general prohibition on call blocking and despite the fact that the Commission has not yet acted on Securus' Petition. *See* Letter to Marlene H. Dortch, Secretary, Federal Communications Commission, from Phil Marchesiello, Counsel to Millicorp, Docket No. 09-144, at 7 (filed June 17, 2011); *see also Establishing Just and Reasonable Rates for Local Exchange Carriers, Call Blocking by Carriers*, Declaratory Ruling and Order, 22 FCC Rcd 11629, ¶¶ 5-6 (WCB 2009) ("[T]he Commission previously has found that call blocking is an unjust and unreasonable practice under section 201(b) of the Act. Specifically, Commission precedent provides that no carriers . . . may block, choke, reduce or restrict traffic in any way.") (citations omitted).

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As a small business, Millicorp cannot indefinitely withstand the pervasive disruption to its operations caused by Securus' threats against Millicorp's customers and continued improper call blocking activities. Moreover, Millicorp's ability to adequately respond to its customers regarding Securus' threats is significantly hampered by the pendency of the Petition. Therefore, Millicorp urges the Commission promptly to act on the Petition and thereby expressly prohibit Securus from continuing to block calls without Commission authorization.

Please do not hesitate to contact me with any questions that you may have regarding this matter.

Respectfully,

/s/ Phil Marchesiello

Phil Marchesiello  
*Counsel to Millicorp*

Attachments

Cc: Angela Kronenberg, Legal Advisor to Commissioner Clyburn (*via electronic mail*)  
Albert Lewis, Chief, Pricing Policy Division, Wireline Competition Bureau (*via electronic mail*)  
Pamela Arluk, Assistant Chief, Pricing Policy Division, Wireline Competition Bureau  
(*via electronic mail*)

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**From:** [customer\\_service@securustech.net](mailto:customer_service@securustech.net) [mailto:[customer\\_service@securustech.net](mailto:customer_service@securustech.net)]

**Sent:** Tuesday, November 15, 2011 7:48 PM

**To:** [REDACTED]

**Subject:** RE: Inmates calling service [REDACTED]

Thank you for contacting Securus Correctional Billing Services. Our service and Millicorp are not associated with one another. In a previous email, we've stated you can not use Millicorp to receive calls. Millicorp is routing your number through one of their numbers which will eventually cause your number to be blocked.

Be advised the telephone number you provide must be the actual telephone number assigned by an authorized telephone company. For security reasons, we do not allow calls to go through call diverters. Calls from the jails need to be secure and investigators need to be able to audit and track calls to recipients. Therefore, there are strict rules about how calls can be routed outside of correctional facilities.

Providing us with a number that attempts to mask the real telephone number or address of the receiving party could be considered fraudulent activity and can result in penalties to you and your loved one, which could include permanent loss of account usage, loss of inmate calling privileges, and criminal prosecution. **We do not allow calls to go through the companies listed below.**

Google Voice /800 Call Forward /addMYPHONE.com /American Prisoner

Cheap Inmate Calls /Cheaper Jail Calls /Cheaper Jails.com

**Cons Call Home – Millicorp**

Ear 2 Ear /Emergency Numbers Form Jail /Fair rates.org

Family Direct Connect /Get Connected Phone Service /Get Connected US

Hosted / Inmate Calling Solutions /Inmate Calls For Less

Inmate Connect Calls /Inmate Phone Home /Inmate Phone Services

Inmate Toll Busters

Jail Calls Cheap

Jail Calls.com

Just Talk - Conduit Technologies

Juvenile Offender

Local 123

OCS Local

phones.com

portal32.com

Prison Call Direct

Prison Calls Online

PrisonLines.com

Prisonlink

Save on Prison Calls

Is there anything else we can assist you with?

Thank you,

Securus Correctional Billing Services

For Frequently Asked Questions please visit us online at [www.SecurusTech.net](http://www.SecurusTech.net)

## **DECLARATION**

I, Timothy Meade, President of Millicorp, hereby declare, under penalty of perjury, the following: I have reviewed the foregoing letter and Attachment, and the information contained therein is true and accurate to the best of my knowledge, information and belief. I certify that Millicorp received the Attachment via email from a Millicorp customer, and that the email, to the best of my knowledge, information and belief, was a *bona fide* email sent to that customer by Securus Technologies, Inc.

Signed and dated this 23 day of November, 2011.

/s/ Timothy Meade

Timothy Meade  
President, Millicorp